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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,512	01/12/2000	Quinton Yves Zondervan	52817.000089	5720

29315 7590 07/30/2002

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC  
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11911 FREEDOM DRIVE, SUITE 400  
RESTON, VA 20190

EXAMINER

BROWN, VERNAL U

ART UNIT PAPER NUMBER

2635

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/481,512

Applicant(s)

ZONDERVAN, QUINTON YVES

Examiner

Vernal U Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

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### DETAILED ACTION

The application of Quinton Yves Zondervan for System and Method for Formatting an Electronic Message filed 01/12/2000 has been examined. Claims 1-20 are pending.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13, 15, and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al. U.S Patent 5742905.

Regarding claim 1, Pepe et al. teaches an integrated messaging system (figure 3) comprising different terminal devices such as cell phone (32), pager (34), telephone (26), and fax machine (24). Each of these terminal devices inherently transmits and receives messages in different formats. The integrated messaging system further comprises a server system (col. 4 lines 38-40) that receives electronic messages sent from one of the terminal devices and modifies the electronic message to appear as though sent by the other terminal device.

Regarding claim 2, Pepe et al. teaches a pager (34) as a wireless terminal device.

Regarding claims 3 and 17, Pepe et al. teaches electronic message transmitted to the wireless terminal by performing a summary function on the electronic message (col. 20 lines 13-

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14). The scripting agent serves the function of translating one message format to another therefore the summary function is inherently performed by the scripting agent.

Regarding claims 4 and 18, Pepe et al. teaches that the subscriber provides the network with message routing and delivery instructions and that the instructions are store in a subscriber profile (col. 6 lines 22-24).

Regarding claim 6, Pepe et al. teaches the formatting of an electronic message from the wireless terminal device to the terminal device in accordance with the formatting requirements of the terminal device (col. 20 lines 13-19).

Regarding claim 7, Pepe et al. teaches a messaging system in which a subscriber can type a message on a PDA (wireless terminal device) and send it to a distribution list over a wireless network and the distribution list may direct the PCI to deliver the message to a client as a fax (terminal device) (col. 23 lines 45-49). The fax message therefore has the same formatting as electronic messages sent by the terminal device type and receive by the terminal device.

Regarding claim 8, Pepe et al. teaches summarizing the electronic message prior to transmitting the electronic message to the wireless terminal device (col. 30 lines 13-19).

Regarding claim 9, Pepe et al. teaches communication between at least two terminal devices including pager (34), fax machine (24), cell phone (32) and PDA (30). These terminal devices has different message format. Pepe et al. further teaches a communication management system direct the call to receiving terminal (col. 7 lines 22-23).

Regarding claim 10, Pepe et al. teaches a message sent from a terminal device from a wireline to a wireless receiving terminal device (col. 10 lines 55-65).

Regarding claim 11, Pepe et al teaches a wireless terminal device (PDA) transmitting to a receiving terminal device (col. 23 lines 45-49).

Regarding claim 12, Pepe et al teaches a communication management method comprising accessing a user profile (col. 10 line 60), determine an intended format based on the user profile and the receiving terminal format (col. 10 line 61), and modify the message format according to the intended format of the receiving terminal (col. 10 lines 64-65).

Regarding claim 15, Pepe et al teaches an integrated messaging system (figure 3) comprising different terminal devices such as cell phone (32), pager (34), telephone (26), and fax machine (24). Each of these terminal devices inherently transmits and receives messages in different formats. The integrated messaging system further comprises a server system (col. 4 lines 38-40) that receives electronic messages sent from one of the terminal devices and modifies the electronic message to appear as though sent by the other terminal device.

Regarding claim 16, Pepe et al teaches an integrating messaging system in which a wireless device (PDA) transmits an electronic message to an associated terminal device (col. 30 lines 48-53).

Regarding claim 13, Pepe et al. teaches an integrating messaging that includes communication across disparate networks (col. 23 lines 39-40) in which a subscriber is capable of sending broadcast messages to the different terminal devices (col. 23 lines 40-47). A copy of the electronic message sent to one terminal device is therefore forwarded to another terminal device.

Regarding claim 19, Pepe et al. teaches the modification of the electronic message format by summarizing the electronic message (col. 30 lines 13-19).

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Regarding claim 5 and 20, Pepe et al. teaches a scripting agent that convert text to speech (col. 10 lines 14-16) and a user profile (col. 6 lines 22-24). Pepe et al. further teaches the use of header information to send notification message to the subscriber (col. 27 lines 43-45).

Claims 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Krishan et al. U.S Patent 5822692.

Regarding claim 14, by Krishan et al. teaches a computer usable medium having computer readable program code for managing communication of an electronic message between at least two terminal devices (col. 2 lines 36-41). Krishan et al. also teaches that the computer usable medium has email and pager circuitry (col. 2 line 48) that is therefore capable of accommodating a computer as a terminal device for displaying the email and a wireless terminal device (pager). These terminal devices both have a different message format from each other. The computer readable code comprises computer code for causing a computer system to receive the electronic message from a sending terminal device format (col. 2 lines 57-58), computer code for causing a computer system to modify the sending terminal device format to a receiving terminal device format (col. 5 lines 15-20).

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U Brown whose telephone number is 703-305-3864. The examiner can normally be reached on M-F, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6743 for regular communications and 703-308-6743 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Vernal Brown  
July 25, 2002

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER/2600

